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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop PCT

Appl. No. : 10/544,212 Confirmation No. 8443
Applicant : Kazuhiro FUKAE
Filed : August 2, 2005
TC/A.U. : Unknown
Examiner : Unknown
Dkt. No. : TAM-057
Cust. No. : 20374

**RESPONSE TO AND REQUEST FOR WITHDRAWAL OF
NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR
PATENT APPLICATIONS CONTAINING
NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

April 13, 2006

Sir:

Paper Copy, Amendment, CRF and Statement (Not Required)

In response to the Notification to Comply with Requirements for Patent Applications Containing Nucleotide And/or Amino Acid Sequence Disclosures dated March 17, 2006, applicants note that the Notification was issued improperly. The present application does not contain any nucleotide and/or amino acid sequence disclosure. Therefore, the present application does not require a separate paper copy of a sequence listing, an amendment to the specification entering the sequence, a CRF of a sequence or a statement to the identity of the paper copy and CRF.

U.S. Patent Appln. S.N. 10/544,212
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PATENT

Translations of Annexes

The Notification also indicates that "the translations of Annexes are canceled since the translations were not submitted prior to 30 months from the priority date." Applicants did not submit "translations of annexes" in the present application.

It is not clear to what paper the Office is referring. Applicants note that amendments were made to the international application under PCT Article 34. A preliminary amendment was filed in the Office on August 2, 2005, to reflect the amendments made under PCT Article 34. Entry of the preliminary amendment is proper. The preliminary amendment is available in the Image File Wrapper of the present application. Additionally, the preliminary amendment was filed prior to 30 months from the priority date of February 4, 2003.

Conclusion

The present application does not contain a nucleotide and/or amino acid sequence disclosure. Therefore, the present notification to comply with requirements for applications containing nucleotide and/or amino acid sequence disclosures is improper. Applicants request that the Notification be withdrawn and that the office issue a notice advising that the requirements for acceptance under 35 U.S.C. §371 were completed on August 2, 2005.

A Filing Receipt is also respectfully requested for this application.

In the event that this paper is not considered to be timely filed, applicants hereby petition for an appropriate extension of

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time. The fee for any such extension may be charged to our Deposit Account No. 111833. Please charge any additional required fees or credit any overpayment to our Deposit Account No. 111833.

Respectfully submitted,

KUBOVCIK & KUBOVCIK



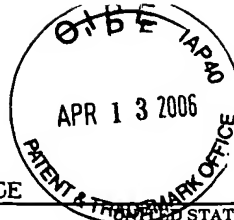
Keiko Tanaka Kubovcik
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Enclosures: Notification of Missing Requirements



UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/544,212	Kazuhiro Fukae	TAM-057

20374
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MAR 22 2006

INTERNATIONAL APPLICATION NO.

PCT/JP04/01048

I.A. FILING DATE

02/03/2004

PRIORITY DATE

02/04/2003

CONFIRMATION NO. 8443

371 FORMALITIES LETTER



OC000000018290695

Date Mailed: 03/17/2006

Due: 5/17/06

NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c) Applicant must provide an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

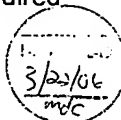
Additionally the following defects have been observed:

- The translations of Annexes are canceled since the translations were not submitted prior to 30 months from the priority date.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required

DOCKETED BY: R91 BD

DATE: 3.22.06



application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

PART 1 - ATTORNEY/APPLICANT COPY

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10/544,212	PCT/JP04/01048	TAM-057

FORM PCT/DO/EO/922 (371 Formalities Notice)